

interest of conserving time, I'll discuss both of them now if that's suitable. LB932 tells how a petition candidate is to circulate petitions and select a running mate. One of the things I object to very strenuously in this bill is that in providing for a write-in candidacy, it states that should a citizen decide to write in only one person's name rather than two forming a team, that ballot will be rejected, by the counting board. This violates the principle which was stated in a number of cases in an Attorney General's opinion that I asked for. Saying that the citizen must be given total freedom to vote for any candidate of his or her choice. To have a bill like this which takes away some of that choice I think is improper. However, my major concern about both of these bills is that they try to correct the problem which I've discussed on this floor a number of times. It deals with an attempt to require the Governor and Lieutenant Governor to run as a team. The constitutional provision adopted was defective. An attempt is being made by these two bills to correct that defect. While the drafters of these two bills were saying that the main aim was to correct the law and not to prevent me from getting on the ballot as an independent, they failed to add the emergency clause. This session 102 bills carrying the emergency clause have passed. It is routinely granted to have the emergency clause attached to an important bill. The only one who has consistently pushed for these bills on the floor is Senator Fellman. When I asked him why, his team did not put the emergency clause on these two bills since they were interested in the constitution and proper drafting of legislation, he did not know because he did not participate in the drafting of these bills. However, I think that since he has been such a staunch supporter of them, he should have inquired of somebody why they did not if they were going to pass these bills to solve a serious constitutional defect, they did not put the emergency clause so that if they passed, they would become law immediately. The way the situation is now, these two bills will become law 90 days after we adjourn which may be in the latter half of July. If I circulate petitions under the current law which does not require that a petition candidate have a running mate, I can get the signatures. I can file my petitions prior to the effective dates of these bills. If these bills come into operation at that time and I've discussed this point with Senator Luedtke and others, these bills can not retroactively invalidate my filing. A double problem will be created then. Because what the Secretary of State may attempt to do is hold off the acceptance of my petition until these bills come into effect. Naturally I would try to get a court order at that point to compel him to accept my petitions under the current law because these bills have no effect until 90 days after we adjourn. What I'm saying is that as far as legal consequences are concerned, there would be no laws, no change in the law as the result of the passage of LB932 and 933 so if there is a constitutional problem, and all of us who have discussed it say that there is, these bills will not solve that problem. And if there are any other attorneys who would like to state an opinion on it, I wish they would do so. But my motion is to return these bills to strike the enacting clause and it will not prohibit the party candidates from running as a team. They are the only ones referred to in the constitution. They are the only ones referred to in the current law. The constitution as it stands now does not prohibit a petition candidate from filing. The law as it stands now does not prohibit a petition candidate. The passage of these two bills will create the difficulties that I've outlined. Now, if they are not passed